

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

AUG 15 2006

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM)

CR. NO. 2:06CR144-WKW

[21 USC 841(a)(1);
21 USC 841(b)(1)(D);
18 USC 924(c)(1)(A)(i);
18 USC 922(g)(1)]

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

On or about January 10, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture and substance which contained a detectable amount of cocaine hydrochloride, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 2

On or about January 10, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, did knowingly and intentionally possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(b)(1)(D).

COUNT 3

On or about January 10, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, did knowingly use and carry an Israeli Military Industries (IMI), Model Uzi Eagle, .40 Caliber Pistol, Serial Number 96311044, during and in relation to drug trafficking offenses as charged in Counts 1 and 2 herein, and did possess said firearm in furtherance of drug trafficking offenses as charged in Counts 1 and 2 herein, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 4

On or about January 10, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, having been convicted on or about the dates set forth below of the offenses set forth below, each a felony punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama:

CONVICTION DATE	COURT	CASE NUMBER	OFFENSE
November 15, 1999	Circuit Court of Montgomery County, Alabama	CC-99-1399	Receiving Stolen Property I

February 7, 2000	Circuit Court of Montgomery County, Alabama	CC-99-1575	Possession of Marijuana First and Failure to Affix Stamp
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did knowingly possess, in and affecting commerce, the ammunition and the following firearm:

Israeli Military Industries (IMI), Model Uzi Eagle, .40 Caliber Pistol, Serial Number 96311044.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 5

On or about July 14, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, did knowingly and intentionally possess with the intent to distribute 5 grams or more of a mixture and substance which contained a detectable amount of cocaine base (“crack”), a Schedule II Controlled Substance; and 3.5 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 6

On or about July 14, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, did knowingly use and carry a Ruger pistol, .9mm Caliber, Model P89, Serial Number 313-80221, during and in relation to a drug trafficking offense as charged in Count 5 herein, and did possess said firearm in furtherance of a drug trafficking offense as charged in Count 5 herein, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 7

On or about July 14, 2006, in Montgomery County, within the Middle District of Alabama,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

defendant herein, having been convicted on or about the dates set forth below of the offenses set forth below, each a felony punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama:

CONVICTION DATE	COURT	CASE NUMBER	OFFENSE
November 15, 1999	Circuit Court of Montgomery County, Alabama	CC-99-1399	Receiving Stolen Property I
February 7, 2000	Circuit Court of Montgomery County, Alabama	CC-99-1575	Possession of Marijuana First and Failure to Affix Stamp

did knowingly possess, in and affecting commerce, the ammunition and the following firearm:
a Ruger pistol, .9mm Caliber, Model P89, Serial Number 313-80221. All in violation of Title 18,
United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Counts 3, 4, 6, and 7, of this indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 924(c)(1)(A)(I), as alleged in Counts 3 and 6 of this indictment or Title 18, United States Code, Section 922(g)(1), as alleged in Counts 4 and 7 of this indictment, the defendant,

PAUL MEREZ GRAHAM,
a/k/a PAUL MONREZ GRAHAM,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

**One Israeli Military Industries (IMI), Model Uzi Eagle,
.40 Caliber Pistol, bearing serial number 96311044; and**

**One Ruger pistol, .9mm Caliber, Model P89,
Serial Number 313-80221**

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.

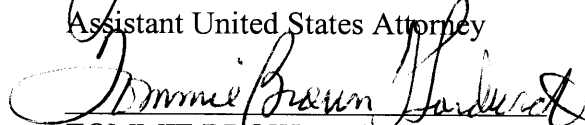
All in violation of Title 18, United States Code, Section 922 and Title 18, United States Code, Section 924.

A TRUE BILL:


Foreperson


LEURA G. CANARY
UNITED STATES ATTORNEY


JOHN T. HARMON
Assistant United States Attorney


TOMMIE BROWN HARDWICK
Assistant United States Attorney